

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,	)	CR 07-35-M-DWM
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
GERMAN GARCIA-MEDOZA,	)	
	)	
Defendant.	)	
_____	)	

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on June 12, 2007. Neither party objected and therefore they are not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Lynch recommended this Court accept the Defendant's

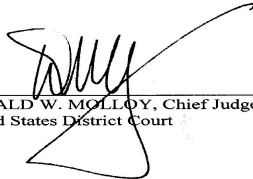
guilty plea after he appeared before him pursuant to Rule 11, Federal Rules of Criminal Procedure, and entered his plea of guilty to the charge of illegal re-entry of a deported alien in violation of 8 U.S.C. § 1326(a).

I find no clear error in Judge Lynch's Findings and Recommendation (dkt #18) and I adopt them in full.

Accordingly, IT IS HEREBY ORDERED that the motion to change plea (dkt #14) is GRANTED.

IT IS SO ORDERED.

Dated this 2<sup>nd</sup> day of July, 2007.



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DONALD W. MOLLAY, Chief Judge  
United States District Court